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PCT/DE2003/003718



Translation

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2002P16792WO	<b>FOR FURTHER ACTION</b>	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/DE2003/003718	International filing date (day/month/year) 10 November 2003 (10.11.2003)	Priority date (day/month/year) 04 December 2002 (04.12.2002)
International Patent Classification (IPC) or national classification and IPC G06K 13/08		
Applicant <b>SIEMENS AKTIENGESELLSCHAFT</b>		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 6 sheets.

3. This report contains indications relating to the following items:

- I  Basis of the report
- II  Priority
- III  Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV  Lack of unity of invention
- V  Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI  Certain documents cited
- VII  Certain defects in the international application
- VIII  Certain observations on the international application

Date of submission of the demand 02 July 2004 (02.07.2004)	Date of completion of this report 11 February 2005 (11.02.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE2003/003718

## I. Basis of the report

## 1. With regard to the elements of the international application:\*

- the international application as originally filed  
 the description:

pages \_\_\_\_\_ 3-5, 7, 8 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_  
 pages \_\_\_\_\_, filed with the demand \_\_\_\_\_, filed with the letter of \_\_\_\_\_ 02 February 2005 (02.02.2005)

- the claims:

pages \_\_\_\_\_  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_  
 pages \_\_\_\_\_, filed with the demand \_\_\_\_\_, filed with the letter of \_\_\_\_\_ 05 November 2004 (05.11.2004)

- the drawings:

pages \_\_\_\_\_ 1/4-4/4 \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand \_\_\_\_\_

- the sequence listing part of the description:

pages \_\_\_\_\_  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand \_\_\_\_\_, filed with the letter of \_\_\_\_\_

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).  
 the language of publication of the international application (under Rule 48.3(b)).  
 the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority in written form.  
 furnished subsequently to this Authority in computer readable form.  
 The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
 The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4.  The amendments have resulted in the cancellation of:

- the description, pages \_\_\_\_\_  
 the claims, Nos. \_\_\_\_\_  
 the drawings, sheets/fig. \_\_\_\_\_

5.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	1 - 5	YES
	Claims		NO
Inventive step (IS)	Claims	1 - 5	YES
	Claims		NO
Industrial applicability (IA)	Claims	1 - 5	YES
	Claims		NO

## 2. Citations and explanations

Reference is made to the following document:

D1: DE 198 09 619 A (MANNESMANN VDO AG) 9 September  
1999 (1999-09-09)

Document D1 is considered the prior art closest to the subject matter of claim 1 and discloses (the references between parentheses refer to that document): a chip card housing (figure 1) comprising a first (slide 19) and a second (carriage 10) central part, it being possible to move the first central part by a drive (tension spring 51, column 4, line 41ff.), and the housing also comprising a locking element (26, 27) which can be actuated by the first central part. In addition, the two central parts can mutually entrain the other by means of a coupling element (45) and the second central part comprises entraining elements (holder 28) for co-operation with the chip card (11).

The subject matter of claim 1 differs from D1 in that locking occurs in the read position and the two central parts co-operate such that once the locking

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has been released the second central part is entrained by the first central part.

The subject matter of claim 1 is thus novel (PCT Article 33(2)).

The present invention can therefore be considered to address the problem of devising a chip card housing which locks the card in the read position so that it is safe from manipulation and which at the same time is low in height.

There is nothing in D1 to indicate that the two central parts should be allowed to co-operate as claimed in the present application. The solution to the problem of interest as proposed in claim 1 thus involves an inventive step (PCT Article 33(3)).

Claims 2 to 5 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.